IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1481 OF 2005

IN

CRIMINAL APPEAL NO. 222 OF 2005

Raju Anand Wanmu ... Applicant

V/s

The State of Maharashtra ... Respondent

Mr. Naveen Chomal for applicant

Mr. S.R. Shinde,APP for the State

Coram : V.M. Kanade, J.

Dated : 01/04/2005

P.C. :-

I have heard learned counsel appearing for the applicant and APP for the State.

. The applicant is convicted for the offence punishable under section 392 of Indian Penal Code and is sentenced to suffer R.I. for 7 years.

. The prosecution case is that the applicant about with the four unknown persons entered into a wine shop and their faces were covered with cloth. The accused No.1 while coming to wine shop assaulted one person with gupti who subsequently died and that the offence under section 302 read with section 392 of Indian Penal Code was registered against four unknown persons. The accused No.1 was committed an offence punishable under section 302 of Indian

Penal Code. The division bench who considered the application of the accused No.1 released the applicant on bail on the ground that identification parade was not properly held and even in the court the accused was not identified. The applicant be released on bail on a sum of Rs.5000/- with one or two sureties in like amount. The applicant however shall report to Matunga Police Station once in a week.

(V.M. Kanade, J.)